



LEGISLATIVE BUDGET BOARD

2020–21 Legislative Appropriation Request

**Instructions for Appellate Courts
and Judicial Branch Agencies
for the Biennium Beginning September 1, 2019**

**LEGISLATIVE BUDGET BOARD STAFF
GOVERNOR'S OFFICE, BUDGET DIVISION**

WWW.LBB.STATE.TX.US

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LEGISLATIVE APPROPRIATION REQUEST INSTRUCTIONS FOR APPELLATE COURTS AND JUDICIAL BRANCH AGENCIES

Appellate courts and judicial branch agencies must refer to the *2020–21 Legislative Appropriations Request (LAR) Detailed Instructions* (June 2018) for general budget instructions and the *LAR Submission Schedule* (June 2018) for due dates, both of which are available on the Legislative Budget Board (LBB) website at www.lbb.state.tx.us/Agencies_Portal.aspx → Data Entry Applications → Instructions → Legislative Appropriations Request.

BASELINE REQUEST AND EXCEPTIONAL ITEMS

General Revenue Funds and General Revenue–Dedicated Funds baseline appropriations requests should be limited to the amounts approved by the LBB and the Office of the Governor, Budget Division. A policy letter regarding baseline levels is available on the LBB website at www.lbb.state.tx.us/Agencies_Portal.aspx → Data Entry Applications → Instructions → Legislative Appropriations Request.

WHAT'S NEW

ELECTRONIC SUBMISSIONS

- All agencies, institutions of higher education, and appellate courts and judicial branch agencies should include their Dual Submission certification in the PDF submission that is submitted through the LBB application (Document Submissions) located on the LBB's website at <http://docs.lbb.state.tx.us/> and submit a copy to the Office of the Governor, Budget Division, at budgetandpolicyreports@gov.texas.gov.

NEW SCHEDULES, MODIFICATIONS, AND NOTES

- **New: Budgetary Impacts Related to Recently Enacted Legislation Schedule** – Agencies implementing new state legislation enacted by the Eighty-fifth Legislature should complete this new schedule showing expended and estimated amounts for fiscal years 2017 to 2021;
- **New: Document Production Standards** – Agencies are required to report any cost savings or other efficiencies achieved from implementing changes to document transmission and production practices;
- **Exceptional Item Request Schedule 4.A:** If an exceptional item request contains IT components, agencies should provide additional information, including a description and status of the new or existing project, outcomes and outputs, a detailed breakdown of budgeted and estimated IT costs, and a brief analysis of project alternatives, scalability and adjusted costs related to the scalability.
- **Ten Percent Biennial Base Reduction Options Schedule and State Budget by Program.** Agencies are required to submit a 10 Percent Biennial Base Reduction Options Schedule detailing how the agency would reduce the 2018–19 biennial baseline request by 10 percent in General Revenue Funds and General Revenue–Dedicated Funds. Included in their 2020–21 Legislative Appropriations Request, agencies should submit reduction options that tie to programs identified in the 2018–19 State Budget by Program (SBP) (<http://sbp.lbb.state.tx.us/>). Additionally, reduction options should also include estimates of any losses in revenue, including Federal Funds, as part of the agency's impact statement within the schedule.
- **Transferred Programs.** Historical expenditures for programs and functions transferred between agencies should be reflected at the agency in which the expenditure actually was made. Agencies receiving a transferred program or function should not re-enter historical expenditures for a transferred program as if the program had existed at the receiving agency during those years.
- **Relevant Legislation for Fiscal Years 2018 and 2019.** Consistent with the approach taken in previous years, the following appellate courts and judicial branch agencies should adjust the 2018 and 2019 appropriated amounts, as reflected in the Conference Committee Report on Senate Bill 1 (May 2017) at www.lbb.state.tx.us/Documents/Appropriations_Bills/85/Conference_Bills/SB1_Conference_Bill.pdf for the following:
 - **Court of Criminal Appeals**
House Bill 214, Eighty-fifth Legislature, Regular Session, 2017; and
Senate Bill 42, Eighty-fifth Legislature, Regular Session, 2017;
 - **Office of Court Administration**
Senate Bill 42, Eighty-fifth Legislature, Regular Session, 2017; and
Senate Bill 298, Eighty-fifth Legislature, Regular Session, 2017; and
 - **Judiciary Section, Comptroller's Department**
Senate Bill 1329, Eighty-fifth Legislature, Regular Session, 2017.

SPECIAL INSTRUCTIONS FOR THE SPECIAL PROSECUTION UNIT

As a unit of county government with sources of funding from the state, the Special Prosecution Unit (SPU) must provide a budget request that complies with the previously mentioned guidelines for LAR submission instructions for appellate courts. However, because SPU does not have access to the Automated Budget and Evaluation System of Texas (ABEST), word-processing and spreadsheet schedules that closely resemble the ABEST forms are sufficient submissions. A copy of this request must be sent to the LBB and the Office of the Governor. It is also necessary for SPU to coordinate closely with the Judiciary Section of the Comptroller's Department, so that the Judiciary Section can incorporate relevant fiscal data into its LAR. Performance measure data relating to budget requests should be submitted by SPU and will not be included in the Judiciary Section's LAR.

APPELLATE COURT AND JUDICIAL BRANCH AGENCY EMAILED FORMS

Each appellate court and judicial branch agency's budget request may contain the following word processing forms, spreadsheet forms, and ABEST-generated reports (as necessary). Word-processing and spreadsheet forms should be emailed to the Office of the Governor's address established for that purpose (budgetandpolicyreports@gov.texas.gov) and be included in the searchable PDF submitted through the LBB Documents Submissions application (docs.lbb.state.tx.us).

Those forms should include:

- organization chart – word-processing form;
- Rider Revisions and Additions Request (only courts or judicial branch agencies requesting changes) – word-processing form;
- Capital Expenditure Detail (appellate courts and all judicial branch agencies without capital budget riders) – spreadsheet form;
- Current Biennium Onetime Expenditure Schedule – spreadsheet form; and

Other supporting forms submitted in ABEST include the following:

- administrators statement;
- Capital Budget Supporting Schedules (Office of Court Administration only);
- Historically Underutilized Business (HUB) Supporting Schedule;
- Federal Funds Supporting Schedule (Supreme Court and Office of Court Administration);
- Federal Funds Tracking Schedule (Supreme Court and Office of Court Administration);
- estimated total of all funds outside the GAA (Supreme Court of Texas, 14 Courts of Appeals).
- Estimated Revenue Collections Supporting Schedule (Office of Court Administration, Court of Criminal Appeals, and Judiciary Section of the Comptroller's Department);
- Ten Percent Biennial Base Reductions Options Schedule;
- Summary of Costs Related to Recently Enacted State Legislation; and
- direct administrative and support costs (if required).

The appellate courts and single-strategy judicial branch agencies may refer to the sample court budget request in this section. The sample includes supporting schedules required for the appellate courts, except for the Current Biennium Onetime Expenditure Schedule.

AGENCY REQUEST

The Strategy Request is the initial starting point of the agency's budget request. It should incorporate direct strategy costs (excluding requested rider appropriations) and capital costs allocated to a strategy. The Summaries of Request can be generated from ABEST. The Federal Funds, Capital Budget, and other schedules support the Strategy Request by providing greater detail on amounts contained in the Strategy Request.

PRIORITIZATION OF MEASURES

ABEST requires that all performance measure definitions be entered in the system. As part of that process, it will be necessary to assign a priority (high, medium, or low) to each performance measure. This prioritization assists in review of the budget request and in the selection of key measures for inclusion in the appropriations bill.

TEN PERCENT BIENNIAL BASE REDUCTION OPTIONS SCHEDULE

The 10 Percent Biennial Base Reduction Options Schedule is required to be submitted within the 2020–21 LAR. This schedule details how the 2020–21 biennial baseline request would be reduced by 10 percent in General Revenue-related funding. The LBB and Governor's office calculates the General Revenue Funds and General Revenue–Dedicated Funds 10 percent amount for the schedule upon approval of the 2018–19 biennial base reconciliation. The target amount is then communicated to the appellate court or judicial branch agency and entered into ABEST.

The options for attaining the 10 percent targeted amounts must be submitted in 2.5 percent increments in priority order as determined by each appellate court or Judicial Branch agency, with four sets of reduction items each representing 2.5 percent of the baseline request, for a total of 10 percent. Reduction options should tie to programs identified in the 2018–19 biennial State Budget by Program (sbp.lbb.state.tx.us/). An explanation of the reasons for how these items were prioritized should be included in the Administrator's Statement.

Existing operations should be reviewed and targeted reductions offered in specific programs. Reduction options should also include estimates of any budgetary impacts such as losses in revenue, including Federal Funds, as part of the agency's or court's impact statement within the schedule and should describe any performance impacts. Nonspecific, across-the-board reductions are discouraged, but they may be acceptable when the court's or agency's size or function limits the available options.

ELECTRONIC SUBMISSION

LARs for fiscal years 2020 and 2021 are submitted electronically to the LBB through ABEST. This is recognized in ABEST when the status is changed to Complete. Instructions for entering budget data in ABEST may be found on the LBB website at www.lbb.state.tx.us/Agencies_Portal.aspx → Data Entry Applications → Instructions → Legislative Appropriations Request → *Preparing and Submitting Legislative Appropriation Requests in ABEST* (June 2018).

Other word-processing and spreadsheet forms must be emailed to the Governor's office (budgetandpolicyreports@gov.texas.gov) and included in the searchable PDF submitted through the LBB Documents Submissions application (docs.lbb.state.tx.us). An LAR to PDF generator is available in ABEST. This application allows for the creation of a complete PDF file compiled from user-specified LAR reports from ABEST and additional documents (PDF format only). The LAR to PDF generator can be helpful to compile bound LAR copies and to submit electronically to Document Submissions.

The LBB Document Submissions application is available at docs.lbb.state.tx.us. A valid user ID and password is necessary for ABEST to access the application. If a user ID and password is unavailable then it will be necessary to request access by submitting a Logon Request Form at loginreqagy.lbb.state.tx.us. The Contact Us tab within the LBB Document Submissions application can be used to request support or assistance. In addition, the Help tab on the login screen of LBB Document Submissions provides additional instructions to complete the electronic submission.

CERTIFICATION OF DUAL SUBMISSIONS

The LAR is submitted electronically, both through ABEST and as a PDF document. The request submitted in ABEST is the official submission. A certification of the content of the dual submissions and assurance that the ABEST submission and the PDF document are the same must be submitted as part of the PDF document. If there is a discrepancy between the ABEST submission and the PDF document, the ABEST submission will be presumed correct. The certification form is

available on the LBB website at www.lbb.state.tx.us/Agencies_Portal.aspx → Data Entry Applications → Instructions → Legislative Appropriations Request → Certificate of Dual Submission.

If an office is headed by an elected official, the first assistant may sign for the elected official.

Revisions to Submitted LAR: If permission has been received to revise the completed 2020–21 LAR in ABEST, a PDF of the revised LAR will need to be submitted through the Document Submissions application upon completion of any changes. The revised PDF also should be sent to the Governor’s office.

BOUND PAPER COPIES

Bound printed copies of the LAR and any supplemental (that is, non-ABEST) information are required to be submitted to the offices requiring copies of LARs. See page 11 of the *2020–21 Legislative Appropriations Detailed Instructions* (June 2018) for instructions on assembly and distribution of bound paper copies. Appellate courts and judicial branch agencies should submit two bound paper copies of the LAR and any supplemental information to both the LBB and Governor’s Office.